

CHAPTER 128.

PLACE OF BRINGING ACTIONS AND TAXATION OF COSTS THEREIN.

H. F. 210.

AN ACT to amend section four thousand four hundred and eighty-one (4481) of the code in relation to place of bringing actions, and a taxation of costs therein.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Actions on written contracts—costs. That section four thousand four hundred and eighty-one (4481) of the code be and the same is hereby amended by adding thereto the following:

“Provided, that should action be brought under the provisions of this section in any county other than that of the residence of the defendant and the plaintiff shall fail to appear at the time fixed for the trial in the original notice, the justice of the peace before whom said action is brought, shall, upon presentation of the copy of the original notice served upon the defendant, docket said cause and enter judgment therein against the plaintiff in favor of the defendant for all costs in the action, which costs shall include all reasonable expenses of the defendant in attending the place of trial and an attorney’s fee not to exceed fifteen dollars for defendant’s attorney; and should any action brought under the provisions of this section for any cause, except upon trial upon the merits, be dismissed the defendant shall recover like costs and expenses and attorney fees.”

Approved April 9, A. D. 1904.

CHAPTER 129.

ASSAULT WITH INTENT TO COMMIT MURDER.

S. F. 81.

AN ACT to amend section forty-seven hundred and sixty-eight (4768) of the code, relating to punishment for the crime of assault with intent to commit murder.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Penalty. That section forty-seven hundred and sixty-eight (4768) of the code be and the same is hereby amended by striking out the word “ten” in the third line, and inserting in lieu thereof the word “thirty”.

Approved February 10, A. D. 1904.

CHAPTER 130.

MALICIOUS MISCHIEF AND TRESPASS.

H. F. 881.

AN ACT to repeal section four thousand eight hundred and seven (4807) of the code and of the supplement to the code, and to enact a substitute therefor, relating to malicious mischief and trespass.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repealed—malicious injury to highways, bridges, railways, telegraph lines, etc. That section four thousand eight hundred and seven (4807) of the code, as the same appears in the code and the supplement to the code, be, and the same is, hereby repealed and re-enacted; and when re-enacted, the same shall read as follows:

“If any person maliciously injure, remove or destroy any electric railway or apparatus thereto belonging, or any bridge, rail or plank road; or place,

or cause to be placed, any obstruction on any electric railway, or on any such bridge, rail or plank road; or wilfully obstruct or injure any public road or highway; or maliciously cut, burn, or in any way break down, injure or destroy any post or pole used in connection with any system of electric lighting, electric railway or telephone or telegraph system; or break down and destroy or injure and deface any electric light, telegraph or telephone instrument; or in any way cut, break or injure the wires of any apparatus thereto belonging; or shall wilfully tap, cut, injure, break, disconnect, connect, make any connection with or destroy any of the wires, mains, pipes, conduits, meters or other apparatus belonging to, or attached to, the power plant or distributing system of any electric light plant, electric motor, gas plant or water plant; or shall aid or abet any other person in so doing, he shall be imprisoned in the penitentiary not more than five years, or be fined not exceeding five hundred dollars, or imprisoned in the county jail not more than one year, or by both such fine and imprisonment at the discretion of the court."

Approved March 30, A. D. 1904.

CHAPTER 131.

PROTECTION OF PROPERTY OF PUBLIC LIBRARIES AND READING ROOMS.

S. F. 265.

AN ACT to protect the property of public libraries and reading rooms. [Additional to chapter four (4) of title twenty-four (XXIV) of the code, relating to malicious mischief and trespass.

Be it enacted by the General Assembly of the State of Iowa:

Injury to property—penalty. Any person who shall wilfully, maliciously or wantonly tear, deface, mutilate, injure or destroy in whole or in part, any newspaper, periodical, book, map, pamphlet, chart, picture or other property belonging to any public library or reading room, shall be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars, or imprisonment not more than thirty days.

Approved March 31, A. D. 1904.

CHAPTER 132.

THE WILFUL TAKING OF ANY ELECTRIC CURRENT, GAS OR WATER FROM THE WIRES, METERS OR PIPES.

H. F. 332.

AN ACT prohibiting the wilful taking of any electric current, gas or water from the wires, meters, pipes or any apparatus of any electric light, electric motor, gas or water plant with intent to defraud. (Additional to chapter five (5) title twenty-four (XXIV) of the code.)

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Larceny. If any person wilfully and with intent to defraud, in any manner take from the wires, pipes, meters or any other apparatus of any electric motor, electric light, water or gas plant or works, any electric current, water or gas, he shall be guilty of larceny and shall be punished accordingly.

Approved March 30, A. D. 1904.